

**UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT**

DUANE P. WOODBURY, ET AL.	:	
	:	
	:	
v.	:	No. 3:13-cv-01224 (SRU)
	:	
WACHOVIA BANK NA, ET AL.	:	

**ORDER OF DISMISSAL**

The court has previously warned pro se plaintiffs, Duane P. Woodbury and Roberta G. Woodbury, that failure to comply with Rule 4(m) of the Federal Rules of Civil Procedure would result in dismissal of this case. Rule 4(m) provides, in part, that if service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, after notice to the plaintiff, shall dismiss the action without prejudice. It appears that more than 120 days have passed since the filing of the complaint in this case and an executed return of service has not been filed as to Wachovia Bank NA and first Union Mortgage Corp. Accordingly, this case is hereby dismissed without prejudice, against those parties, pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. The clerk is instructed to close the file.

It is so ordered.

Dated at Bridgeport, Connecticut this 16th day of September 2014.

/s/ STEFAN R. UNDERHILL  
Stefan R. Underhill  
United States District Judge